

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 14, 16 and 17 have been amended and claim 15 has been cancelled. Claim 20 has also been added. Claims 14 and 16-20 are pending for further examination.

Claims 14-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Martin et al. (U.S. Pat. 5,355,302 “Martin”) in view of Tsevdos et al. (U.S. Pat. 5,734,719 “Tsevdos”). Claim 14, however has been amended to include the language of claim 15, which is admittedly not present in the Martin/Tsevdos combination (see section 3 (page 4) of the Office Action), so for at least this reason, claim 14 and all claims dependent therefrom should be allowable over the Martin/Tsevdos combination.

Claims 15-17 also stand rejected under 35 U.S.C. §103(a) as being unpatentable over Martin and Tsevdos in view of Cluts (U.S. Pat. 5,616,876 “Cluts”). Applicant has cancelled claim 15 and included the language thereof in amended claim 14. Applicant submits the applied references do not disclose or suggest all elements of the claimed combination.

For example, claim 14 recites, *inter alia*, “the user interface is further operable to display graphical items representing album covers, including at least album cover artwork, of any additional album covers of the same artist as the selected album cover for which songs exist on the local computer memory;” The Office Action concedes that

Martin and Tsevdos are silent with respect to this feature and introduces Cluts to compensate for this deficiency.

Cluts, however, does not disclose or suggest “the user interface is further operable to display graphical items representing album covers, including at least album cover artwork, of any additional album covers of the same artist as the selected album cover for which songs exist on the local computer memory;”

Cluts does discuss displaying a list of albums for an artist. (Col. 12:47-49). But Cluts does not discuss displaying graphical items representing album covers, including at least album cover artwork, of any additional album covers of the same artist as the selected album cover. According to the Office Action, Cluts teaches this at column 16, lines 25-39, however Applicant notes that the “more album” button does not actually correspond to showing more albums, but rather shows the additional songs on the album from which the presently playing song came. (Col. 16:30-32).

Thus, for at least this reason, claim 14 is allowable over the Martin/Tsevdos/Cluts combination. Claims 16-20 should be allowable based at least on their dependency from allowable claim 15.

Claim 20 has been added and recites, *inter alia*, first, second and third screen window zones. The first window zone “compris[es] the plurality of graphical items corresponding to album covers.” The second window zone “compris[es] the list of songs stored in said local computer memory corresponding to the selected album cover.” The third window zone “other album covers corresponding to the same group or singer as the

MASTRONARDII
Appl. No. 09/888,540
August 2, 2007

one of the selected album cover.” None of Nathan, Tsevdos or Cluts teaches this combination as claimed, wherein all three zones are capable of being simultaneously displayed, and wherein any zone contains displays of additional album covers, including at least album cover artwork, corresponding to the same group or singer as the one of the selected album cover.

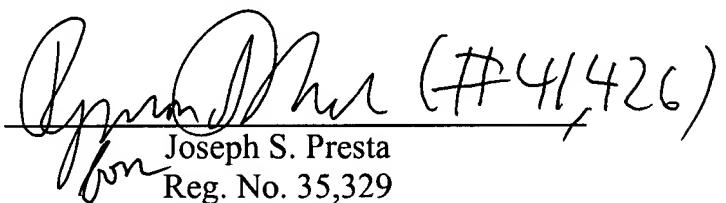
For at least these reasons, Applicant submits claim 20 is allowable over the prior art of record.

For at least the foregoing reasons, Applicant respectfully submits that the invention defined by the amended claims herein is not taught or suggested by the prior art of record. Thus, withdrawal of the rejections and allowance of this application are earnestly solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


Joseph S. Presta
Reg. No. 35,329

JSP:mg
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100